

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

Plaintiff,

v.

SUNSETTER PRODUCTS LP,  
a Massachusetts Limited Partnership,

Defendant.

No. 1:23-CV-10744 (BEM)

**JOINT MOTION TO STAY PROCEEDINGS TO FACILITATE SETTLEMENT  
NEGOTIATIONS**

Plaintiff the United States and Defendant SunSetter Products, LP (“SunSetter”) (collectively, “the Parties”), jointly move the Court to stay this action for a period of thirty days in order to permit the Parties to continue discussions regarding potential resolution of this litigation through a negotiated settlement. In support of this motion, the Parties state as follows:

1. The United States commenced this litigation on April 6, 2023. SunSetter filed a motion to dismiss on June 6, 2023. The Court denied that motion on March 14, 2024.
2. On May 22, 2024, the Court entered a Case Management Schedule (ECF Nos. 39-40) pursuant to which fact discovery is scheduled to end on March 11, 2025.
3. The parties have diligently engaged in fact discovery, including the exchange of written discovery, document productions, and preparations for depositions.
4. During the fact-discovery period, the parties began communicating regarding a potential resolution of this action through a negotiated settlement. As of today, the parties have reached an agreement in principle to resolve this matter.

5. The parties are working cooperatively to finalize settlement negotiations and believe that this case is very likely to resolve through settlement in the near future. However, the parties would benefit from additional time to finalize certain settlement terms.
6. Given the approaching fact-discovery deadlines, the parties respectfully submit that they will most effectively be able to resolve this matter if the Court grants a temporary stay, so as to permit the Parties to devote attention to settlement negotiations without spending additional time and costs on ongoing discovery efforts, including depositions, that are likely to be unnecessary.
7. The parties reasonably anticipate that it will take no more than 30 days to review and finalize a settlement.

For the foregoing reasons, the parties jointly move to stay proceedings for a period of thirty days. Should the parties determine that more time is necessary to facilitate settlement discussions, they will advise the Court promptly.<sup>1</sup>

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<sup>1</sup> Should the parties determine resolution is not possible, they request leave to submit a proposed amended case schedule that adjusts the deadlines set forth in ECF No. 39.

Dated: February 12, 2025.

*For SunSetter Products, LP:*

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 12th day of February 2025, I filed the foregoing document through the CM/ECF system, which will send notifications of such filing to all registered participants as identified on the NEF.

Dated: February 12, 2025

By: /s/ Brett Ruff  
Brett Ruff  
Trial Attorney